

**ROCKY MOUNT TOWN COUNCIL  
REGULAR COUNCIL MEETING  
FEBRUARY 9, 2009**

The February 9, 2009 regular Council meeting of the Rocky Mount Town Council was held in the Council Chambers of the Rocky Mount Municipal Building located at 345 Donald Avenue, Rocky Mount, Virginia at 7:00 p.m. with Mayor Steven C. Angle presiding. The following members of Council were present:

Vice Mayor Posey W. Dillon and Council Members Jerry W. Greer, Sr., John H. Lester, Roger M. Seale, Robert W. Strickler, and Gregory B. Walker

The meeting was called to order by Mayor Angle.

The Town Clerk read for the record the following being present: All members of Town Council as noted, Town Manager C. James Ervin, Assistant Town Manager/Community Development Director Matthew C. Hankins (and Planning & Zoning Administrator), Town Attorney John T. Boitnott, Chief of Police Erik Mollin, Finance Director Linda Woody, Fire Chief Posey W. Dillon, Public Works Director Cecil R. Mason, and Town Clerk Patricia H. Keatts.

The Mayor led the *Pledge of Allegiance*.

**APPROVAL OF AGENDA**

Prior to the meeting, Council had received the agenda for review and consideration of approval.

- Motion was made by Council Member \_\_\_\_\_ to approve the agenda as presented, seconded by Council Member \_\_\_\_\_ and carried unanimously.

**SPECIAL ITEMS**

Let the record show there were no special items at this time.

**PUBLIC HEARING**

Let the record show the Mayor recessed the meeting to hold the following public hearings:

A. Review and Consideration of Disposition of Property

1. Disposition of Property Known as a Portion of Parcel Number 2030000101, Otherwise Known as Track 4 of the Joint Franklin County and Town of Rocky Mount Industrial Park.

The Mayor opened the floor to anyone wishing to come before Council to speak regarding this matter.

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There being no further discussion, the Mayor reconvened the meeting back into regular session.

The Mayor entertained a motion.

There being no further discussion regarding this portion of the public hearing, the Mayor entertained a motion.

- Motion was made by Council Member

The Mayor recessed the meeting back into a public hearing to hear the second portion of this request:

2. Disposition of Property Known as a Portions of Parcel Numbers 2030000102 and 2040038500, in Addition to Portions of Right-of-Way Formally Associated with Weaver Street to be Abandoned as a Result of the Relocation of the Street.

The Mayor opened the floor to anyone wishing to come before Council to speak regarding this matter.

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There being no further discussion, the Mayor reconvened the meeting back into

regular session.

The Mayor entertained a motion.

- Motion was made by Council Member

The Mayor recessed the meeting back into a public hearing regarding the requests of Centrex Properties, Inc.

B. Review and Consideration of Request of Centrex Properties, Inc.

On February 3, 2009, the Planning Commission met to hear two requests from Centrex Properties, Inc., being:

1. Waiver of the Ordinance Prohibiting Subdivision of Properties not on Public Streets and Prohibiting Private Streets and Private Reserve Strips Controlling Access to the Street In any Subdivision, for Franklin County Tax Map and Parcel Number 203007804, a vacant 2.27 Acre Parcel Located Between Wendy's and Kroger Off of Old Franklin Turnpike

The Mayor opened the floor to anyone wishing to come before Council to speak regarding this matter.

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There being no further discussion, the Mayor reconvened the meeting back into regular session.

The Mayor entertained a motion.

- Motion was made by Council Member

The Mayor recessed the meeting back into a public hearing to hear the second portion of this request:

2. Waiver from Section 28-14C(4) Allowing for the Construction of an on Premises Freestanding Sign on Lots Having Less Than 100 Feet of Road Frontage, for Franklin County Tax Map and Parcel Number 2030007804 and Association Subdivided Lots

The Mayor opened the floor to anyone wishing to come before Council to speak regarding this matter.

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There being no further discussion, the Mayor reconvened the meeting back into regular session.

The Mayor entertained a motion.

- Motion was made by Council Member

### **APPROVAL OF MINUTES**

Prior to the meeting, Council had received for consideration of approval the following draft minutes:

- January 12, 2009 Regular Council Meeting Minutes
- January 29, 2009 Special Council Meeting Minutes
- Motion was made by Council Member \_\_\_\_\_ to approve the draft Council meeting minutes as presented with motion on the floor being seconded by Council Member \_\_\_\_\_. There being no discussion, let the record show that the motion on the floor passed unanimously.

### **APPROVAL OF CONSENT AGENDA**

The approval of the *Consent Agenda* consists of approving any miscellaneous resolutions/proclamations, miscellaneous action, departmental monthly reports, and bill list that were submitted prior to the meeting for Council's review and consideration.

- Miscellaneous Resolutions/Proclamations
  - Update report from Franklin County Chamber of Commerce
- Miscellaneous Action
- Departmental Monthly Report
- Bill List

- Motion was made by Council Member \_\_\_\_\_ to approve the draft *Consent*

*Agenda, with motion on the floor being seconded by Council Member \_\_\_\_\_ . There being no discussion, let the record show that the motion on the floor passed unanimously.*

### **HEARING OF CITIZENS**

#### **A. Review and Consideration of Request of Outlaw Cruisers**

*(Mark Hudzik, Treasurer for Outlaw Cruisers, is requesting permission from Council to hold their Annual Outlaw Cruisers Car Show on May 24, 2009 between the hours of 12:00 p.m. and 4:00 p.m. on downtown Franklin Street and that they be allowed to close the street during that time. Mr. Hudzik has discussed this with the Chief of Police, who has no problem with his request.)*

- Motion was made by Council Member

#### **B. Review and Consideration of Request of Franklin County Historical Society**

*(Linda Stanley, Special Projects Coordinator for the Franklin County Historical Society, is inviting Council to visit their new facility located on South Main Street. The suggested date would be the next regular Council meeting scheduled for March 9 at 5:30 p.m. Will need to discuss if this date and time is suitable for Council.)*

- Motion was made by Council Member

### **OLD BUSINESS**

#### **A. Review and Consideration of Adoption of Draft “Town of Rocky Mount – Cross Connection Control Ordinance”**

*(The Town Attorney has reviewed the draft “Town of Rocky Mount – Cross Connection Control Ordinance”, which was enclosed for Council’s review and consideration of approval prior to the meeting.)*

- Motion was made by Council Member

#### **B. Review and Consideration of Alcohol Being Served at the Community & Hospitality Center (Depot)**

*(During the January 12, 2009, it was the request of Council that the Town staff research the past use of alcohol being served at the Depot, and that it be brought back before Council during the February 9, 2009 meeting for review and consideration.)*

- Motion was made by Council Member

C. Review and Consideration of Approval for Proposed Grant from Commonwealth of Virginia, Virginia Department of Health, Office of Drinking Water

*(Enclosed is a proposed "Commonwealth of Virginia, Virginia Department of Health, Office of Drinking Water". The Town Manager is submitting the proposed grant Council's review and consideration of approval by Council. A memorandum to the Mayor and Town Council from the Town Manager is enclosed that addresses this in more detail.)*

- Motion was made by Council Member

D. Update on Town's Wellness Program

*(Enclosed is a memorandum from Amy K. Dooley, Accounting Technician I, giving Council an update on the Town's wellness program.)*

E. Advisory Board for Uptown Revitalization Project

*(During the January 12, 2009 regular meeting, Council approved the formation of the Façade Improvement Advisory Board for the Uptown Revitalization Project. Prior to the meeting, Council received a list of those members for Council's review and consideration of approval.)*

Gregory Walker, Town Council member  
Derwin Hall, Fidelity Bank  
Brenda Hunt, SunTrust Bank  
Anne Carter Lee Gravely, CPR Board member  
Serina Garst, CPR Board member  
J. Tillman Riddle, uptown business owner  
Carol Tuning, citizen of Town of Rocky Mount

- Motion was made by Council Member

**NEW BUSINESS**

A. Review and Consideration of Approval of Preliminary Architectural Report for a Multipurpose Venue in Rocky Mount

*(The Town Manager presented to Council for review and consideration of approval studying the feasibility of creating a multipurpose venue in Rocky Mount.)*

- Motion was made by Council Member

B. Review and Consideration of Water Loss Study Grant from Virginia Department of Health

*(The Assistant Town Manager updated Council regarding the Town receiving a grant for a water loss study. Enclosed is a memorandum dated January 21, 2009 that will explain the awarding of the grant in further detail.)*

- Motion was made by Council Member

C. Review and Consideration of Construction Administration and Inspection of Upcoming Road Projects

*(Enclosed is a memorandum dated January 23, 2009 to the Mayor and Town Council from the Town Manager regarding Construction Administration and inspection of upcoming road projects. The Town Manager is requesting Council's authorization to:)*

1. Enter into a contract amendment with Thompson + Litton for Construction Administration services to two projects totaling \$49,000 (\$24,500 for each project as outlined in the memorandum.
2. Enter into a contract with Earth Environmental Consultants, Inc. for on-site full time construction inspection services for \$54,000 as outlined in the memorandum.

- Motion was made by Council Member

D. Review and Consideration of Appointment to the Rocky Mount Beautification and Urban Design Commission (BUD)

*(Enclosed is a letter from Lorinda G. Lionberger, Chairman of the Rocky Mount Beautification and Urban Design Commission (BUD), to the Mayor and Town Council requesting Council's review and consideration of the appointment of Dee Shoemaker to fill the vacant seat of Andy Turner, who resigned during their January 2009 meeting.)*

- Motion was made by Council Member

E. Review and Consideration of Approval of Draft Contract Between the Town of Rocky Mount, Franklin County, and the Western Virginia Regional Water Authority

*(Enclosed is a draft contract between the Town of Rocky Mount, Franklin County, and the Western Virginia Regional Water Authority. A memorandum to the Mayor and*

*Town Council from the Town Manager is enclosed that outlines this proposed contract in more detail.)*

- Motion was made by Council Member

F. Review and Consideration of Delaying Penalty Date on Which Penalties are Assessed on Town Real Estate Taxes

*(At the request of Council Members Strickler and Walker, the Finance Director is submitting for Council's review and consideration the delaying the penalty date on which penalties are assessed on Town real estate taxes.)*

- Motion was made by Council Member

G. Review and Consideration of Moving the Mailing of Town Tax Tickets Before December 31

*(At the request of the Mayor, the Finance Director is submitting for Council's review and consideration of moving the mailing of Town tax tickets before December 31.)*

- Motion was made by Council Member

## **COMMITTEE REPORTS**

The Assistant Town Manager/Community Development Director presented to Council the following committee reports:

A. Streets, Sidewalks & Sanitation Committee

The Streets, Sidewalks & Sanitation Committee met on January 15, 2009 to review and consider several items. Listed below are the items that were discussed:

1. Alleyway Maintenance on Maple Avenue: *No action was taken and no recommendation was made to the full Council.*
2. Striping of Technology Drive: *Committee recommended the addition of a solid yellow line to Technology Drive and asked the Town's Public Works Director to include in the next contract for street paving.*

- Motion was made by Council Member

3. Extending the Median on Tanyard Road near McDonald's Restaurant: *Committee tabled the discussion on the proposed new median on Tanyard Road in order to*

*allow staff more time to allow the owners of the shopping center to have input into the process.*

4. Additional Parking on Maynor Street: *Committee recommended no action be taken until funding options could be evaluated as further detailed in enclosed memorandum to Mayor and Town Council.*
5. Installation of Rumble Strips at Stop Signs on Bernard Road: *Committee tabled this item until the through traffic study being undertaken is complete.*

### **OTHER MATTERS & COMMENTS**

A. Referrals to Planning Commission from Town Council

B. Rise 'N Shine Appearances

The Mayor and Assistant Town Manager/Community Development Director appeared on the Rise 'N Shine show this morning.

### **COUNCIL CONCERNS**

### **CLOSED MEETING**

At \_\_\_\_\_ p.m., motion was made by Council Member \_\_\_\_\_ to go into *Closed Meeting*, and seconded by Council Member \_\_\_\_\_ and carried unanimously to discuss the following:

- Section 2.2-3711(A).1 - Discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body (Town Manager's Office).

At \_\_\_\_\_ p.m., motion was made by Council Member \_\_\_\_\_ to come out of *Closed Meeting* and to reconvene the meeting back into open session, with motion on the floor being seconded by Council Member \_\_\_\_\_ and carried unanimously.

**CERTIFICATE OF CLOSED MEETING**

Whereas, the Town of Rocky Mount Council has convened a *Closed Meeting* on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires certification by this council that such *Closed Meeting* was conducted in conformity with Virginia Law;

Now, Therefore, Be It Resolved that the Rocky Mount Town Council hereby certifies that, to the best of each members' knowledge: (1) only public business matters lawfully exempted from open meeting requirements under this chapter and (2) only such public business matters as were identified in the motion by which the *Closed Meeting* was convened were heard, discussed, or considered in the meeting by the public body.

\_\_\_\_\_  
Steven C. Angle, Mayor

- Motion was made by Council Member \_\_\_\_\_ certifying that: (1) only public business matters lawfully exempted from open meeting requirements under this chapter was discussed; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or consider in the meeting by the public body was discussed. Motion was seconded by Council Member \_\_\_\_\_. The Mayor swore to adopt the motion on the floor by Council Member \_\_\_\_\_ that this was all that was discussed as defined in Section 2.2-3412 Code of Virginia. Voting yes were Vice Mayor Posey W. Dillon and Council Members Jerry W. Greer, Sr., John H. Lester, Roger M. Seale, Robert W. Strickler, and Gregory B. Walker.

The Mayor reported

**ADJOURNMENT**

At \_\_\_\_\_ p.m., motion was made by Council Member \_\_\_\_\_ to adjourn, seconded by Council Member \_\_\_\_\_ and carried unanimously.

\_\_\_\_\_  
Steven C. Angle, Mayor

ATTEST:

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Patricia H. Keatts/Town Clerk

/phk